

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**JOHN GROSSETETE,**

**Plaintiff,**

**v.**

**No. 15-cv-0592 MV/SMV**

**FNU WILLIAMS,<sup>1</sup> J. LUCERO,  
FNU GAUNA, FNU RODGERS,  
and FNU DOES,**

**Defendants.**

**SECOND ORDER TO SHOW CAUSE**

THIS MATTER is before the Court on Plaintiff's Response to the Court's Order to Show Cause [Doc. 19], filed February 18, 2016. The Court had ordered Plaintiff to provide current addresses for serving process on Defendants Gauna and Rodgers. [Doc. 16]. In his response, Plaintiff lists three addresses for Defendant Gauna (one in Las Vegas, New Mexico, one in Mora, New Mexico, and one in Santa Fe, New Mexico) and two addresses for Defendant Rodgers (one in Santa Rosa, New Mexico and one in Cedar Crest, New Mexico). [Doc. 19] at 1.

Service of process must be reasonably calculated to provide the defendant with actual notice of the suit and an opportunity to defend. *See Mullane v. Cent. Hanover Bank & Trust, Co.*, 339 U.S. 306, 314 (1950). Plaintiff cannot just take a wild guess at the correct mailing addresses for Defendants Gauna and Rodgers by randomly choosing names out of the white pages of a telephone book. Instead, he must make a concerted effort "to track down the whereabouts of defendants to effectuate service." *Washington v. Correia*, 546 F. App'x 786, 789 (10th Cir.

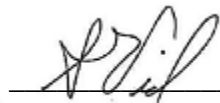
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<sup>1</sup> Defendant Williams was dismissed from this action on November 18, 2015. [Doc. 6].

2013). Therefore, the Court hereby enters a Second Order to Show Cause, requiring Plaintiff to provide the Court with one address for Defendant Gauna and one address for Defendant Rodgers, which after investigation, Plaintiff reasonably believes to be the address where each Defendant will be found for service of process in compliance with Fed. R. Civ. P. 4. Failure to comply with this Order may result in dismissal of Plaintiff's claims against Gauna and Rodgers without further notice.

**IT IS THEREFORE ORDERED** that no later than **March 15, 2016**, Plaintiff must file a response providing one current address for serving process on Defendant Gauna and one current address for serving process on Defendant Rodgers, or show cause why his claims against these Defendants should not be dismissed.

**IT IS SO ORDERED.**



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**STEPHAN M. VIDMAR**  
**United States Magistrate Judge**